

01-08-02

A

jc796 U.S. PTO  
01/04/02

Practitioner's Docket No. 16644/09003CIP

PATENT

Preliminary Classification:  
Proposed Class:  
Subclass:

jc997 U.S. PTO  
10/039677  
01/04/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U. S. Patent & Trademark Office  
Commissioner for Patents  
Box Patent Application  
Post Office Box 2327  
Arlington, VA 22202

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Stephen Brian Falder; David Rawden

**CERTIFICATION UNDER 37 C.F.R. § § 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☐ deposited with the United States Postal Service in an envelope addressed to the U. S. Patent & Trademark Office, Commissioner for Patents, Box Patent Application, P. O. Box 2327, Arlington, VA 22202  
37 CFR 1.8a
- ☐ with sufficient postage as first class mail.

37 CFR 1.10  
As "Express Mail Post Office to Addressee" Mailing Label  
No. ET710728557US.

TRANSMISSION

- ☐ facsimile transmitted to the Patent and Trademark Office, 703 \_\_\_\_\_

*Deborah Anne Weiner*  
Signature

Date: January 4, 2002

Deborah Anne Weiner

Type or print name of person certifying

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

For (title): ANTI-MICROBIAL COMPOSITION

**1. Type of Application**

This transmittal is for a continuation-in-part (C-I-P) application.

**2. Benefit of Prior U.S. Application (35 U.S.C. Sections 119(e), 120, or 121)**

The new application being transmitted claims the benefit of prior U.S. application.

**3. Papers Enclosed**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

56 Page(s) of Specification

7 Page(s) of Claims

4 Sheet(s) of Drawing(s)--Informal

B. Other Papers Enclosed

1 Page(s) of abstract

13 Page(s) of Preliminary Amendment

**4. Declaration or Oath**

Not Enclosed.

Application is made by a person authorized under 37 C.F.R. Section 1.41(c) on behalf of all of the above-named inventors.

**5. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**6. Language**

English

20101010 1403567 010402

7. **Assignment**

An assignment of the invention to Byotrol LLC will follow.

8. **Certified Copy**

Certified copies of applications:

<u>Country</u>	<u>Application Number</u>	<u>Filed</u>
Great Britain	0100155.1	01/04/2001
United States	09/756,457	01/08/2001

from which priority is claimed will follow.

9. **Fee Calculation (37 C.F.R. Section 1.16)**

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$740.00
Total Claims (37 CFR 1.16(c))	59	- 20 =	39 x	\$18.00	\$702.00
Independent Claims (37 CFR 1.16(b))	5	- 3 =	2 x	\$84.00	\$168.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$280.00	\$0.00

Filing Fee Calculation \$

10. **Fee Payment Being Made at This Time**

Enclosed

Filing Fee \$1,610.00

Total Fees Enclosed \$1,610.00

11. **Method of Payment of Fees**

Charge Account No. 50-1196 in the amount of \$1,610.00.

A duplicate of this transmittal is attached.

**12. Instructions as to Overpayment**

**Credit Account No. 50-1196.**

**13. Relate Back**

**A. 35 U.S.C. Sections 120, 121 and 365(c)**

**As set forth in the attached Preliminary Amendment, the specification is being amended by inserting, before the first line, the following sentence:**

**"This application is a continuation-in-part of copending application serial number 09/756,457 filed on January 8, 2001."**

**14. Relate Back--35 U.S.C. Section 119 Priority Claim for Prior Application**

**As set forth in the attached Preliminary Amendment, the specification is being amended by inserting, before the first line, the following sentence:**

**"This application claims priority under 35 U.S.C. Section 119 to Great Britain Application No. 0100155.1 filed on January 4, 2001."**

**15. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

**a. This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application, the inventors in this application are the same.**

Date: 1/4/02

Reg. No.: 35,561

Tel. No.: 864-250-2260

Customer No.: 16644/0900

  
Signature of Practitioner

Neil C. Jones

Nelson Mullins Riley & Scarborough, LLP

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1330 Lady Street

Columbia, SC 29201

01/04/02  
Jc796 U.S. PTO

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ ) 1610.00

## Complete if Known

Application Number	Unknown
Filing Date	01/04/2002
First Named Inventor	Falder et al.
Examiner Name	Unknown
Group Art Unit	
Attorney Docket No.	16644/09003CIP

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number: 50/1196
- Deposit Account Name: Nelson Mullins Riley & Scarborough
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☐ Payment Enclosed:
- ☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					(\$ ) 740.00

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
59	-20** = 39	18.00	702.00
5	-3** = 2	84.00	168.00
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 870.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 0.00

## SUBMITTED BY

Name (Print/Type)	Neil C. Jones	Registration No. (Attorney/Agent)	35,561	Telephone	864/250-2260
Signature		Date	01/04/2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Falder, Stephen Brian; Rawden, David  
Application No.: Unknown Group No.: Unknown  
Filed: 01/04/2002 Examiner: Unknown  
For: ANTI-MICROBIAL COMPOSITION

U. S. Patent & Trademark Office  
Commissioner for Patents  
Box Patent Applications  
Post Office Box 2327  
Arlington, VA 22202

EXPRESS MAIL CERTIFICATE

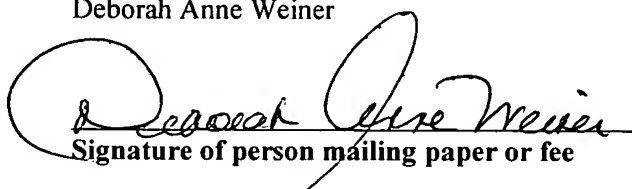
"Express Mail" label number ET710728557US  
Date of Deposit 01/04/2002

I hereby state that the following *attached* paper or fee

1. Express Mailing Transmittal Letter - ET710728557US (1 page).
2. Fee Transmittal (1 page).
3. New Application Transmittal (6 pages).
4. Application, including Abstract and Drawings (68 pages).
5. Preliminary Amendment (13 pages).
6. Return Postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the United States Patent & Trademark Office, Commissioner for Patents, Box Patent Applications, PO Box 2327 Arlington, VA 22202.

Deborah Anne Weiner

  
Signature of person mailing paper or fee